

Department of Housing and Urban Development

2425.402

an estimate of \$1,000,000 shall be considered for set-aside on a case-by-case basis.

[49 FR 7706, Mar. 1, 1984; 49 FR 10930, Mar. 23, 1984, as amended at 53 FR 46535, Nov. 17, 1988; 64 FR 46097, Aug. 23, 1999]

Subpart 2419.7—Subcontracting with Small Business, Small Disadvantaged Business and Women-Owned Small Business Concerns

2419.708 Solicitation provisions and contract clauses.

(d) The Contracting Officer shall insert the provision at 2452.219-70 in negotiated solicitations exceeding \$500,000 that are not set aside for small business or 8(a) concerns.

(e) The Contracting Officer shall insert the provision at 2452.219-70 with Alternate I in sealed bid solicitations exceeding \$500,000 that are not set aside for small business or 8(a) concerns.

(f) The Contracting Officer shall insert the clause at 48 CFR 2452.219-71 in solicitations exceeding \$500,000 that are not set aside for small businesses or to be accomplished under the 8(a) program. The Contracting Officer shall insert the clause in all contracts exceeding \$500,000 (\$1,000,000 for construction) that are not awarded to small businesses or to 8(a) business concerns.

[57 FR 59790, Dec. 15, 1992, as amended at 64 FR 46097, Aug. 23, 1999]

PART 2420 [RESERVED]

PART 2422—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

AUTHORITY: Sec. 205(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(c)); sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

SOURCE: 53 FR 46535, Nov. 17, 1988, unless otherwise noted.

Subpart 2422.14—Employment of the Handicapped

2422.1408 Contract clause.

(c) The Contracting Officer shall insert the clause at 2452.222-70, Accessibility of Meetings, Conferences, and Seminars to Persons with Disabilities, in all solicitations and contracts.

PART 2424—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

Subpart 2424.1—Protection of Individual Privacy

Sec.
2424.103 Procedures.

Subpart 2424.2—Freedom of Information Act

2424.203 Policy.

AUTHORITY: 5 U.S.C. 552, 552a; 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

SOURCE: 49 FR 7708, Mar. 1, 1984, unless otherwise noted.

Subpart 2424.1—Protection of Individual Privacy

2424.103 Procedures.

(b)(2) See 24 CFR part 16 for the HUD regulations which implement the Privacy Act.

Subpart 2424.2—Freedom of Information Act

2424.203 Policy.

See 24 CFR part 15 for the HUD regulations which implement the Freedom of Information Act.

[49 FR 7708, Mar. 1, 1984. Redesignated at 64 FR 46097, Aug. 23, 1999]

PART 2425—TRADE AGREEMENTS ACT

AUTHORITY: 42 U.S.C. 3535(d).

2425.402 Policy.

(a)(1) It is the Department's policy to determine whether the Trade Agreements Act applies based on the total estimated dollar value of the proposed

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acquisition before the solicitation is issued, including all line items and options.

[57 FR 59790, Dec. 15, 1992, as amended at 64 FR 46097, Aug. 23, 1999]

**PART 2426—OTHER
SOCIOECONOMIC PROGRAMS**

**Subpart 2426.70—Minority
Business Enterprises**

- 2426.7001 Policy.
- 2426.7002 Responsibility.
- 2426.7003 Solicitation provision.

AUTHORITY: 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

SOURCE: 53 FR 46536, Nov. 17, 1988, unless otherwise noted.

**Subpart 2426.70—Minority
Business Enterprises**

2426.7001 Policy.

It is the policy of the Department to foster and promote Minority Business Enterprise (MBE) participation in its procurement program, to the extent permitted by law and consistent with its primary mission. A “minority business enterprise” is a business which is at least 51 percent owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. For this purpose, minority group members are those groups of U.S. citizens found to be disadvantaged by the Small Business Administration pursuant to Section 8(d) of the Small Business Act.

[60 FR 46156, Sept. 5, 1995. Redesignated at 64 FR 46097, Aug. 23, 1999]

2426.7002 Responsibility.

The Director of the Office of Small and Disadvantaged Business Utilization (OSDBU) develops Departmental MBE plans and policies in accordance with Executive Orders 11625 and 12432 and by directive from the Secretary. He or she provides advice and guidance to the Secretary and Primary Organi-

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zation Heads on MBE functions, reviews and makes recommendations to the Secretary on MBE annual plans and goals, monitors and evaluates the Department's MBE program, and reports on MBE program performance to the Department of Commerce.

[60 FR 46157, Sept. 5, 1995. Redesignated at 64 FR 46097, Aug. 23, 1999]

2426.7003 Solicitation provision.

Contracting officers shall request all interested contractors, bidders, or offerors (including those responding to requests for quotations) to complete the certification at 2452.226–70, Certification of Status as a Minority Business Enterprise. Completion of this certification is voluntary and is not a condition of eligibility for contract award.

[60 FR 46157, Sept. 5, 1995. Redesignated at 65 FR 3573, Jan. 21, 2000]

**PART 2427—PATENTS, DATA, AND
COPYRIGHTS**

**Subpart 2427.3—Patent Rights Under
Government Contracts**

Sec.

2427.305 Administration of patent rights clauses.

2427.305–2 Follow-up by contractor.

AUTHORITY: Sec. 205(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(c)); sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

SOURCE: 53 FR 46536, Nov. 17, 1988, unless otherwise noted.

**Subpart 2427.3—Patent Rights
Under Government Contracts**

2427.305 Administration of patent rights clauses.

2427.305–2 Follow-up by contractor.

(b) Contractor reports. Contractors shall complete and submit to the Contracting Officer HUD Form 770, Report of Inventions and Subcontracts, upon receipt of said form. The Contracting Officer shall send the form to those contractors whose contract work may have required the development of inventions upon physical completion of the contract.